

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

WILLIE STEWART,

Petitioner,

-v.-

Civil Action No.
9:07-cv-1063 (GLS/VEB)

DEBORAH SCHULT,

Respondent.

APPEARANCES:

OF COUNSEL:

FOR THE PETITIONER:

WILLIE STEWART
Plaintiff Pro Se
24880-037
FCI Gilmer
P.O. Box 6000
Glenville, West Virginia 26351

FOR THE RESPONDENT:

HON. ANDREW T. BAXTER
Acting United States Attorney
Office of the United States Attorney
100 South Clinton Street
Syracuse, New York 13261-7198

CHARLES E. ROBERTS
Assistant United States Attorney

GARY L. SHARPE,
U.S. DISTRICT JUDGE

ORDER

The above-captioned matter comes to this court following a Report-Recommendation by Magistrate Judge Victor E. Bianchini, duly filed January 5, 2009. Following ten days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the Magistrate Judge's Report-Recommendation for clear error, it is hereby

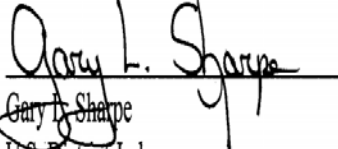
ORDERED, that the Report-Recommendation of Magistrate Judge Victor E. Bianchini filed January 5, 2009 is ACCEPTED in its entirety for the reasons state therein, and it is further

ORDERED, that Willie Stewart's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 is transferred to the United States District Court for the District of Northern West Virginia, and it is further

ORDERED, that the Clerk of the Court is directed to close this case.

IT IS SO ORDERED

Dated: January 27, 2009
Albany, New York


Gary L. Sharpe
U.S. District Judge